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SIPDIS

SENSITIVE

DEPARTMENT FOR G/TIP, G, INL, INL/CTR, DRL, PRM, IWI
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TAGS: [KCRM](#) [PHUM](#) [KWMN](#) [SMIG](#) [KFRD](#) [ASEC](#) [PREF](#) [ELAB](#) [TU](#) [TIP](#) [IN TURKEY](#)
SUBJECT: TURKEY: FIFTH ANNUAL TIP REPORT: PREVENTION

REF: SECSTATE 273089

[¶1.](#) (U) Sensitive but unclassified. Please protect accordingly.

[¶2.](#) (U) Post's responses are keyed to questions in Reftel A.
This is part 3 of 4 (septel).

Prevention

[¶1A.](#) (SBU) Turkish MFA Illegal Migration Department Head Iskender Okyay stated that the two hundred sixty-two TIP victims assisted by the GOT in 2004 amounted to "only the tip of the iceberg." Others state that Turkey has a problem of foreign prostitution and illegal migration, contending that Turkey's liberal visa regime for Balkan, Black Sea Littoral, and Caucasian states -- usually an automatic visa at the border for a nominal fee -- obviates the need for human smuggling gangs.

[¶1B.](#) (U) Government agencies involved in anti-trafficking efforts include the Ministries of Foreign Affairs, Health, Interior (which includes the Turkish National Police and the Jandarma (paramilitary rural police)), Justice, and Labor; the Directorate General for Social Services and Child Protection; and the Directorate General on the Status and Problems of Women.

[¶1C.](#) (U) The Turkish Jandarma printed and distributed 9000 TIP brochures titled, "The Struggle Against Human Trafficking." The brochures were distributed to police precincts and citizens in: Ankara, Antalya, Istanbul, Izmir, Trabzon, Adana, Afyon, Amasya, Asiyaman, Aydin, Batman, Bartin, Bayburt, Bitlis, Bursa, Burdur, Bolu, Cankiri, Corum, Diabakir, Denizli, Edirne, Elazig, Erzurum, Eskisehir, Gaziantep, Giresun, Hatay, Hakkari, Isparta, Karabuk, Kars, Kastamonu, Kayseri, Kirikale, Konya, Kutahya, Mersin, Nevsehir, Nigde, Malatya, Mugla, Mus, Ordu, Osmaniye, Sakarya, Sanliurfa, Siirt, Sirnak, Sivas, Rize, Usak, Yalova, Van, and Zonguldak.

In a November 2003 internal memo distributed to precinct commanders, Jandarma Major General Mustafa Biyik, Head of Operations, wrote the following: "Trafficking can be defined as kidnapping women, children, and men with the purpose of sexual abuse. I request you be informed about the 'Brochure of Combating Trafficking' that is prepared with the objective of informing staff on duty and enlightening the public by distributing to citizens and to police stations."

The sixteen-page color brochure includes the legal definitions of "migrant smuggling, human trafficking, prostitution, abduction, rape, and slavery". The brochures label TIP a "violation of human rights" and "one of the most heinous crimes in humanity". The brochure instructs citizens who "may have witnessed or have knowledge of" human trafficking to "report the crime to a police station or Jandarma precinct immediately". In the event citizens are concerned for their own safety or cannot make a personal appearance, the brochure, which was printed before the toll-free TIP hotline was established, encourages citizens to "call police or Jandarma at 155 or 156".

Also see para D in the Overview section.

[¶1D.](#) (U) The GOT carried out extensive legal reforms during the year aimed at meeting the requirements for European Union membership; Parliament in September adopted a new Penal Code and in May approved a package of constitutional amendments. Elements of the new Penal Code included: increased sentences for torture convictions; "honor killings" - the killing by immediate family members of women suspected of being unchaste - were defined as aggravated homicides; the statutes of limitations for all crimes were lengthened; the State was required to ensure that men and women have equal rights and that this protection is put into practice. Before the amendment, the Constitution only stated broadly that all individuals were equal before the law.

Women's rights advocates reported there were eight government-operated guest houses and three municipal shelters

that provided services to battered women. The Social Services and Child Protection Institution operated fifty-three family centers and several NGO-operated community centers. Bar associations in more than 30 provinces provided legal services for women. In July, Parliament adopted a law requiring municipalities with populations over 50,000 to provide shelters for women and children.

The Directorate General on the Status and Problems of Women under the State Minister for Women's and Children's Affairs is responsible for promoting equal rights and raising awareness of discrimination against women. In October 2004, Parliament adopted legislation that allows the Directorate General to expand its limited staff.

Independent women's groups and women's rights associations existed but have not significantly increased their numbers or activities, mostly due to funding problems. There were many women's committees affiliated with local bar associations. Other organizations included the Association for Supporting and Training Women Candidates (Ka-Der), Flying Broom, the Turkish Women's Union, and the Foundation for the Evaluation of Women's Labor.

According to Flying Broom, there was a sharp increase during the year in the level of media attention to women's issues. The status of women at times became an issue in the context of EU candidacy. Flying Broom prepared 26 one-hour women's issues radio programs during the year; the print media also covered women's issues more closely than in the past.

The GOT was committed to furthering children's welfare and worked to expand opportunities in education and health. The Minister of Women's and Family Issues oversaw implementation of official programs for children. The Children's Rights Monitoring and Assessment High Council focused on children's rights issues.

GOT-provided education through age fourteen or the eighth grade is compulsory.

E. (U) Officials claim financial difficulties in funding prevention programs, though the GOT, for the first time, paid IOM membership fees (152,000 Swiss Francs), provided a grant to IOM for continuing anti-TIP training programs (10,000 USD), and funded Turkey's first VoT shelter and victim hotline.

F. (SBU) In June 2004, HRDF and the Istanbul Municipality signed a formal agreement to establish a shelter for victims of trafficking. Under terms of the agreement, the Istanbul Municipality leased and renovated a residential housing unit and turned administration of the facility over to HRDF. On September 4, 2003, HRDF signed an anti-TIP protocol with the MOI General Directorate of Security (text below).

GOT aspirations for EU accession and past G/TIP tier rankings have spurred new awareness and acknowledgment of TIP issues within the GOT. In past reporting periods, for example, the GOT refused IOM airport access necessary to escort returnees directly to their flights. IOM now characterizes its relationship with the GOT as "excellent and amazing," noting that the MFA has become a "supportive partner" and that the MOI has granted IOM staff "full access to airports, including restricted areas" for a fully operational voluntary repatriation program. In December, the GOT applied for and received full member nation status with the IOM.

IOM Chief of Mission Marielle Lindstrom told us, "I've always believed this government has staged a silent revolution. The difference between last year and this year is night and day."

According to HRDF outgoing Executive Director Demet Gural, "we couldn't ask for better cooperation with our police contacts; victims report that they are treated with respect, competency, and sympathy. Whatever we ask for, the police deliver."

BEGIN TEXT OF PROTOCOL:

This agreement was signed between the Ministry of Interior General Directorate of Security (herein after Interior) and the Human Resource Development Foundation (herein after HRDF) within the framework of Human Trafficking, programme towards the below-mentioned principles in order to determine the responsibilities of the two parties, by the executives whose names and signatures are below, as two copies on September 5, 2003.

The Definition of the Parties

The Ministry of Internal Affairs (General Directorate of Security) (Interior), Supporting Agency

The Human Resource Development Foundation (HRDF), Implementing Agency

The responsibilities of HRDF:

Due to the financial aid HRDF will obtain, HRDF is responsible for the tasks stated below, in order to implement the programme activities defined in Appendix I:

11. To establish a network among non-governmental organizations in Turkey and regional countries affected by human trafficking,

12. To provide training for government officers to refresh and consolidate on the recent amendments of Turkish Penal Code and the standards of international legislation on human trafficking,

13. To advocate for the amendments in Turkish Penal Code required by the standards set by the international legislation,

14. To execute activities in order to strengthen the capacity of Turkish NGOs for the promotion of human rights in Turkey including the rights of trafficked persons and sex workers,

15. To establish a counseling center which will provide psychological, health and legal services for trafficked victims,

16. To provide a shelter for the victims, within the framework of the procedures and fundamentals set by the Ministry of Interior, concerning temporary residence permit and staying in Turkey,

17. To provide a shelter for human trafficking victims,

18. To develop and distribute information, education and communication materials to inform the public, related institutions and the victims about human trafficking,

19. To evaluate the demands of collaboration and support of international non-governmental organizations working in this field, such as the International Office for Migration.

Assistance To Victims Of Trafficking In Women In Turkey

11. Introduction

Until very recently, Turkey had been recognized as a 'sending' country in terms of international migratory flows. However, today, it has become both a 'receiving' and a 'transit' country. The recent political turmoil and clashes occurring in neighboring areas have pushed migrants into the country with the hope of a better life, security and protection from persecution. Turkey becomes a destination country for persons trafficked for the purposes of sexual exploitation and labor. Most victims come from countries of the former Soviet Union, including Azerbaijan, Georgia, Armenia, Russia, Ukraine, and Moldova.

Although there exists efforts for the prevention of human trafficking and rehabilitation programs for the victims of the trafficking in Western and Eastern European countries, the only response to the problem of human trafficking in Turkey is from the formal security departments. As a growing international problem governmental, intergovernmental and non-governmental bodies should work together on this issue within a network. When we look at the situation in Turkey only a limited number of policemen from various security departments of different cities encounter with the identification, accommodation and rehabilitation problems of the victims together with the criminalisation of the traffickers and there exists almost no NGO activity targeting the victims of human trafficking and no special programme on the issue.

The Human Resource Development Foundation (HRDF) based in Istanbul is a leading NGO working in the field of population and development with an emphasis in reproductive health. HRDF has been implementing programmes aiming to strengthen the social and health conditions of sex workers and supporting refugees in different ways since 1989. Although migrant sex work and human trafficking are two different categories, they may represent together the problem of a woman trafficked from a former soviet country and working as a sex worker in Turkey. Working under oppressed conditions means that a sex worker does not take care of her/his health and cannot negotiate for safe sex. Increasing figures of people living with HIV/AIDS among migrant sex worker population reveals this fact in Turkey.

12. Objectives

The overall objective of the programme is to contribute to international efforts and to enhance the national capacity of Turkey to prevent trafficking in women as well as to increase awareness of Turkish population on trafficking in women. The following short term objectives are determined for a period of two years to be implemented by the HRDF to contribute the achievement of the overall objective.

- a. To establish a network among non-governmental and governmental organizations of regional countries influenced by human trafficking in Eastern Europe including Turkey.
- b. To provide training for the government officers on the recent amendments of Turkish Penal Code regarding human trafficking.
- c. To determine the necessary legislative efforts to be undertaken in Turkey for the elimination of human trafficking and providing support for the victims of human trafficking.
- d. To strengthen the capacity of Turkish NGOs for the promotion of human rights in Turkey including the migrants and trafficked persons.
- e. To establish a counseling and rehabilitation center and a hot-line for victims of human trafficking.

13. Strategies and Activities

a. As trafficking in women is a transnational problem, collaboration among all kinds of organizations is very crucial in the elimination of the problem. The International Organization for Migration (IOM) mission in Turkey and various organizations in neighboring countries have already been gathering valuable data on human trafficking but the dissemination of the data gathered is rather slow. In order to disseminate results of the research, generate discussions and brainstorming about future practical steps, and to future activities in the field, a regional seminar will be organized in Istanbul. The Seminar will bring together 50 participants from the former Soviet States and the international community, including NGOs as well as governmental representatives. The Seminar will be an opportunity to present the results of the completed researches, and outline and elaborate further practical steps in combating trafficking in women in the region. Special emphasis will be made on enhancing cooperation between governmental entities and NGOs in the region, as well as enhanced networking between NGOs. The Regional Seminar will be organized together with the British Council, IOM, OSI, Kadikoy Municipality and HRDF.

A second meeting at the end of first year for the evaluation of the activities implemented will be held for approximately 50 participants from different countries. The results of the evaluation will be disseminated to the organizations participating in the project activities. The last meeting with the participation of the first meeting's participants will be held in Istanbul for the general evaluation of the project implementation and for the determination of the future activities.

b. Although the recent amendments on the Turkish Penal Code defines human trafficking as a separate crime and offers some possibilities for the victim, the government officers have little information on the subject. They mostly regard the victim as an illegal prostitute and start deportation immediately without taken into consideration of humanitarian aspects of the issue. Training for the government officers on human trafficking will help to identify and support the victims of human trafficking as well as penalize the perpetrators.

The eight training courses for the police and customs officers will take place at Istanbul (3), Izmir, Trabzon, Antalya, Ankara and Van for 160 participants. An international consultant from the British Council will facilitate the meetings. The training will be for two days and not more than 20 participants will be trained in each course. The issues that will be discussed during the training sessions will be as follow:

Office of Migration (IOM) and to inform the said organizations about the activities and present implementations of Turkey in this field.

The responsibilities of the Interior:

11. To support the HRDF for the national and international efforts detailed below and future necessities about combating human trafficking in Turkey and in the region,

12. To inform the HRDF when a victim of human trafficking is arrested or during his/her investigation, trial, house arrest or before s/he is deported and to facilitate interview process of the HRDF representatives with the victims. To assist the mentioned victims to take advantage of the health and legal services that will be provided by HRDF,

13. To provide the victims of human trafficking to take utmost advantage of the counseling and shelter units, established by HRDF,

14. To provide collaboration of the units, established by

HRDF, with the related non-governmental organizations in the countries of the victims of human trafficking before they are deported. To provide the security of human trafficking victims, transportation operations that will be supported by the funds received,

¶5. To provide the security of counseling and shelter units established by HRDF and the staff working in the programme,

¶6. To evaluate the denunciations on human trafficking issued from the regional countries as an outcome of the network established by HRDF; to take the necessary action for the denunciations reported via the units established by HRDF,

¶7. To provide trainers for the training about Turkish and international laws and regulations on human trafficking that will be organized by HRDF experts and also to enhance the participation of the police officers, who are in need of these trainings,

¶8. To participate in the national and international monitoring and evaluation activities of the programme that will be developed,

¶9. To support the communication of the staff working in the units established by HRDF with the police officers working in the departments of Public Security and Foreigners, and to facilitate the access of the staff in these departments. END TEXT.

¶G. (U) Turkey borders Armenia, Azerbaijan, Bulgaria, Georgia, Iran, Iraq, and Syria, as well as EU member Greece. Istanbul has a large international airport. Other international ports of entry by land, sea, and air include Adana, Ankara, Antalya, Izmir, Erzurum, Sarp, and Trabzon. Although the government expends considerable law enforcement resources to monitor its vast and remote borders, it is not always successful. Contacts report, however, that the overwhelming majority of trafficking victims and other foreign women who engage in prostitution enter Turkey legally, either by obtaining at Turkish Embassies abroad permission to work or, more commonly, by obtaining, and overstaying short-term visas at the Turkish port of entry. Turkey has adopted a liberal visa regime with governments that emerged after the fall of the Soviet Union to encourage trade and tourism. Women who are deported for prostitution return to Turkey repeatedly, according to police. Turkish police assert that corrupt government officials or organized criminals in many source countries contribute to the problem by helping women obtain fake or altered travel documents.

¶H. (U) Ambassador Murat Ersavci, Director General for Consular Affairs at the Turkish MFA, is the National Coordinator for the GOT's Counter Trafficking Task Force. In December 2004, Akif Ayhan replaced Haldun Otman as Taskforce Deputy Director. The Taskforce, chaired by the MFA since its establishment in 2002, is composed of representatives from the Ministries of Health, Interior, Justice, and Labor, plus the Directorate General for Social Services and Child Protection, the Directorate General on the Status and Problems of Women, scholars from Marmara University, and the Human Resources Development Foundation (HRDF). The Taskforce is closed to international organizations (e.g. UN, IOM), foreign government missions (e.g. U.S. Embassy Ankara, Embassy of Belarus), and members of the press. The Task Force met two times in 2004, in February and October, though committees with specific anti-trafficking agendas (hotlines, shelter, public information campaign) reportedly met more frequently. In March 2003, the Taskforce recommended and the government adopted a National Action Plan for TIP.

¶I. (U) In addition to IOM, the GOT participates in anti-trafficking initiatives through the Organization for Security and Cooperation in Europe (OSCE), Southeast European Cooperative Initiative (SECI), the Council of Europe, the European Union, NATO, the International Center for Migration Policy Development (ICMPD), Interpol, Europol, the Stability Pact Task Force on Trafficking in Human Beings, and the United Nations High Commission on Refugees. In 2003 and 2004, the GOT submitted draft protocols proposing bilateral anti-TIP cooperation with Azerbaijan, Belarus, Bulgaria, Georgia, Moldova, Romania, Russia, and Ukraine (see para I in Overview section). Only Belarus responded.

¶J. (U) See para G in Overview section. The government's National Countertrafficking Taskforce developed and adopted a National Action Plan on TIP in March 2003.

¶K. (U) MFA Director General for Consular Affairs Murat Ersavci spearheads the GOT's anti-trafficking initiatives and chairs the government's National Countertrafficking Taskforce.
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